

PATENT
Attorney Docket 056222-5068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donald L.N. Cardy <i>et al.</i>)	
)	
U.S. National Phase of PCT/GB2003/003059)	Group Art Unit: Not Assigned
)	
International Filing Date: July 14, 2003)	Examiner: Not Assigned
)	
For: Lateral Flow Assay Device and Method)	

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

The present application is a U.S. National Phase Application of International Application No. PCT/GB2003/003059 (filed July 14, 2003). Copies of documents **aa** to **aj**, U.S. patent documents, are not attached. However, copies of documents **ak** to **aq** are attached along with a copy of the International Search Report which issued in International Application No. PCT/GB2003/003059. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached forms.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies a document as "prior art" against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

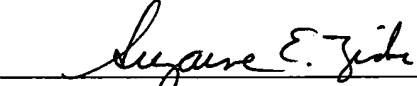
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **January 12, 2005**
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449				Attorney Docket 056222-5068-US		Application No. Not Assigned	
				Applicants: Donald L.N. Cardy et al.		Page 1 of 1	
				Filed: January 12, 2005		Group Art Unit: Not Assigned	

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	aa	5,310,650	May 10, 1994	McMahon <i>et al.</i>	435	6	August 4, 1992
	ab	6,326,211 B1	December 4, 2001	Anderson <i>et al.</i>	436	177	March 10, 2000
	ac	2001/0036634 A1	November 1, 2001	Chow <i>et al.</i>	435	6	March 7, 2001
	ad	5,354,538	October 11, 1994	Bunce <i>et al.</i>	422	100	October 15, 1992
	ae	5,451,500	September 19, 1995	Stapleton	435	6	March 3, 1992
	af	2004/0014068 A1	January 22, 2004	Burgoyne	435	6	December 20, 2002
	ag	2003/0134312 A1	July 17, 2003	Burgoyne	435	6	November 15, 2002
	ah	5,955,351	September 21, 1999	Gerdes <i>et al.</i>	435	287.2	July 12, 1996
	ai	6,153,425	November 28, 2000	Kozwisch <i>et al.</i>	435	287.2	August 27, 1998
	aj	6,649,378 B1	November 18, 2003	Kozwisch <i>et al.</i>	435	91.2	November 2, 2000

FOREIGN PATENT DOCUMENTS							
		Document No.	Date	Country	Class	Sub-Class	Translation
	ak	WO 01/36974 A1	05/25/2001	PCT			
	al	WO 01/26813 A2	04/19/2001	PCT			
	am	WO 98/22625	05/28/1998	PCT			
	an	WO 94/26414	11/24/1994	PCT			
	ao	WO 00/12675	03/09/2000	PCT			
	ap	WO 93/06240	04/01/1993	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	
	aq Wharam <i>et al.</i> (June 2001) Specific detection of DNA and RNA targets using a novel isothermal nucleic acid amplification assay based on the formation of a three-way junction structure, Nucleic Acids Research, 29(11 e54):1-8, Oxford University Press, London, England.
Examiner	Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.